

AN ORDINANCE      100718

ACCEPTING THE LOW, RESPONSIVE BID OF E-Z BEL CONSTRUCTION, LTD. (MBE) IN THE AMOUNT OF \$404,741.25 IN CONNECTION WITH THE W. FRENCH - ZARZAMORA TO NAVIDAD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 7; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$24,737.88 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,000.00 FOR DESIGN CONTINGENCY AND CONSTRUCTION PHASE SERVICES; AUTHORIZING \$2,000.00 FOR ADVERTISING EXPENSES; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$157,362.50 FOR SEWER AND WATER EXPENSES, FOR A TOTAL AMOUNT OF \$432,479.13; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

\* \* \* \* \*

**WHEREAS**, the City Council has approved the W. French - Zarzamora to Navidad Project as part of the Community Development Block Grant (CDBG) Program; and

**WHEREAS**, in connection with said Project, there exists a need for road reconstruction of W. French from Zarzamora to Calaveras to a 30-foot width to include new curbs, sidewalks, and driveway approaches; and

**WHEREAS**, in order to commence performance of such work, it is necessary to accept the low, responsive bid of E-Z Bel Construction, Ltd.; **NOW THEREFORE**:

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The low, responsive bid of E-Z Bel Construction, Ltd. in the amount of \$404,741.25 for performance of the above-described reconstruction work in connection with the W. French - Zarzamora to Navidad Project is hereby accepted. The Interim City Manager or, in his stead, either an Assistant City Manager, an Assistant to the City Manager or the Director of Public Works is hereby authorized to execute a standard form public works construction contract for the job. A copy of the contractor's bid is affixed hereto and incorporated herein as Attachment I.

**SECTION 2.** All other bids received on this Project are rejected upon the occurrence of either the execution of a contract by the low responsive bidder and deposit of all required bonds and insurance certificates, or the expiration of sixty (60) days from the date of this Ordinance.

**SECTION 3.** Community Development Block Grant (CDBG) funds in the amount of \$275,116.63 are hereby authorized to be appropriated and allocated for the street reconstruction in connection with the W. French – Zarzamora to Navidad Project as allocated in the Fiscal Impact Section of this ordinance, which is affixed hereto and incorporated herein as Attachment II.

**SECTION 4.** Additional funding will be needed for this Project in the amount of \$17,998.63 which will be allocated in the reprogramming of the Community Development Block Grant (CDBG) budget in District 7 to cover this amount for the above said Project.

**SECTION 5** Funding in the amount of \$432,479.13 for Project No. 23-00960 entitled “W. French – Zarzamora to Navidad” shall be encumbered and made payable, upon purchase order, to E-Z Bel Construction, Ltd. as follows:

City Construction, WBS Element 23-00960-05-02-01, GL Account # 5201140 entitled “Construction Costs” in the amount of \$247,378.75, and

SAWS Sewer Construction, WBS Element 23-00960-05-02-02-01, GL Account #5201140 entitled “Construction Costs” in the amount of \$72,351.00, and

SAWS Water Construction, WBS Element 23-00960-05-02-02-02, GL Account # 5201140 entitled “Construction Costs” in the amount of \$85,011.50, and

Construction Contingency, WBS Element 23-00960-05-03, GL Account #5201140 entitled “Construction Costs” in the amount of \$24,737.88, and

Design Contingency, WBS Element 23-00960-01-03, GL Account #5201170 entitled “Engineering Fees” in the amount of \$1,000.00, and

Advertisement, WBS Element 23-00960-05-01, GL Account #5201150 entitled “Advertising Expenses” in the amount of \$2,000.00.

**SECTION 6.** The City hereby acknowledges and accepts the commitment of the San Antonio Water System (SAWS) to pay for the cost of sewer and water work as necessitated in connection with the performance of this project, and for the cost of any additional work which may be required. SAWS shall make payment to the City for the costs set forth in Attachment II, such cost totaling \$157,362.50. For any additional work which may be required, SAWS has manifested its intent to pay its portion. The City is hereby authorized to collect from SAWS payment for any additional costs of such nature and the project budget is hereby authorized to be revised to so reflect. SAWS shall provide a copy of its resolution to City’s Department of Public Works upon approval of this project. The Director of Public Works is hereby authorized to bill

SAWS for the cost of sewer and water work as necessitated in connection with the performance of this project and for any cost overruns required to complete the aforesaid SAWS sewer and water works construction. Collections from SAWS shall be forwarded to the Director of Finance and deposited in the Fund No. 23-00960. The budget of Fund No. 23-00960 is hereby authorized to be supplemented in the amount of the sum required to complete the cost of sewer and water work as necessitated in connection with the performance of this Project, if such additional work is required, and the construction contract herein awarded amended in accordance with the City's field alteration procedure, administratively or by ordinance as applicable.

**SECTION 7.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the Interim City Manager or the Interim City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 8.** This ordinance shall be effective on and after the first (1<sup>st</sup>) day of May, 2005.

**PASSED AND APPROVED** this 21<sup>st</sup> day of April, 2005




M A Y O R

EDWARD D. GARZA

**ATTEST:**

  
City Clerk

**APPROVED AS TO FORM:**

  
City Attorney